

SEP 28 2017

JULIA C. DUDLEY, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

UNITED STATES OF AMERICA

Case No. 7:94-cr-40106-19

v.

ORDER

TIMOTHY BAKHARI MOTLEY,
Petitioner.

By: Hon. Jackson L. Kiser
Senior United States District Judge

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED

that the construed motion to vacate, set aside, or correct sentence pursuant to 28 U.S.C. § 2255 (ECF No. 1050) is **DISMISSED** without prejudice as successive, a certificate of appealability is **DENIED**, and the case is **STRICKEN** from the active docket.

The Clerk shall send copies of this Order and the accompanying Memorandum Opinion to Petitioner and counsel of record for the United States.

ENTER: This 28th day of September, 2017.

Jackson L. Kiser
Senior United States District Judge